

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Roberto A. Gaxiola, Gerald R. Fink and Seth L. Alper
 Application No.: 09/834,998 Group: 1638
 Filed: April 13, 2001 Examiner: Not Assigned
 For: Proton Transporters And Uses In Plants



CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231	
on <u>11-12-01</u>	<u>[Signature]</u>
Date	Signature
<u>Verine Crump</u>	
Typed or printed name of person signing certificate	

TRANSMITTAL OF DECLARATION/POWER OF ATTORNEY AND
 NOTICE OF CHANGE OF CORRESPONDENCE ADDRESS

Box Missing Parts
 Assistant Commissioner for Patents
 Washington, D.C. 20231

Sir:

A Reply to Notice to File Missing Parts, including executed Declaration/Power of Attorney document(s), is being filed concurrently in the above-referenced patent application. At page 2, the Declaration/Power of Attorney sets forth the former address of the undersigned in the appointment of agent and as correspondence address. Please send all correspondence to: Customer No. 021005, Hamilton, Brook, Smith & Reynolds, P.C., 530 Virginia Road, P.O. Box 9133, Concord, Massachusetts 01742-9133. In addition, please direct all telephone calls to Anne J. Collins at (978) 341-0036, and all facsimile communications to (978) 341-0136.

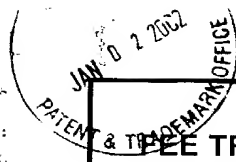
Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Anne J. Collins
 Anne J. Collins
 Registration No.: 40,564
 Telephone: (978) 341-0036
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Concord, MA 01742-9133

Date: November 12, 2001


**SEE TRANSMITTAL FOR
PATENT APPLICATIONS**

Attorney Docket Number	0399.2004-002
Application Number	09/834,998
First Named Inventor	Roberto A. Gaxiola

CLAIM CALCULATION (includes any preliminary amendment)

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
TOTAL CLAIMS (37 CFR 1.16(c) or (j))		76 - 20* =	56	x \$ 18 =	\$ 1008
INDEPENDENT CLAIMS (37 CFR 1.16(b) or (i))		15 - 3** =	12	x \$ 84 =	\$ 1008
MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))				+ \$ 280 =	\$
				BASIC FEE (37 CFR 1.16(a) or (h))	\$ 740
				Total of above Calculations =	\$ 2756
				Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27, 1.28) =	\$ 1378
				TOTAL =	\$ 1378
				Surcharge - Late Filing of Declaration or Filing Fees (37 C.F.R. 1.16(e)) =	\$ 65
				Petition for Extension of Time Fee (37 C.F.R. 1.17) =	\$ 720
				Assignment Recordation Fee = (only when filed with application)	\$
* Reissue claims in excess of 20 and over original patent ** Reissue independent claims over original patent				TOTAL =	\$ 2163

1. Small entity status:

- a. ☒ A small entity statement is enclosed (2 Documents).
- b. ☐ A small entity statement was filed in the prior non-provisional application and such status is still proper and desired.
- c. ☐ Is no longer claimed.

2. ☒ A general authorization is hereby granted to charge deposit account number 08-0380 for any fees required under 37 CFR 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.

3. ☐ A check is enclosed for \$2,163. ☐ Please charge \$[] to Deposit Account No. 08-0380.

4. ☐ Other: _____

Signature	<i>Anne J. Collins</i>	Date	<i>November 12, 2001</i>
Submitted by Typed or Printed Name	Anne J. Collins	Reg. Number	40,564

HAMILTON
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 SMITH &
 REYNOLDS, P.C.

PATENTS, TRADEMARKS
 COPYRIGHTS & LITIGATION

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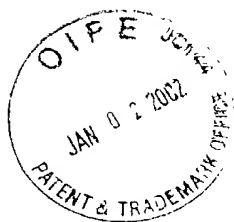
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 ADMINISTRATOR OF
 PATENT AND
 TRADEMARK PRACTICE



ANNOUNCEMENT

Please note that Hamilton, Brook, Smith & Reynolds, P.C.,
 has relocated.

Effective immediately, our new postal address and contact
 numbers are as follows:

Hamilton, Brook, Smith & Reynolds, P.C.
 530 Virginia Road
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UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/834,998	04/13/2001	Roberto A. Gaxiola	0399.2004-002

CONFIRMATION NO. 4319

FORMALITIES LETTER



OC00000006062482

Anne J. Collins, Esq.
HAMILTON, BROOK, SMITH & REYNOLDS, P.C.
Two Militia Drive
Lexington, MA 02421-4799



Date Mailed: 05/10/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

01/04/2002 SMINASSI 00000066 09834998

01 FC:201	370.00 OP
02 FC:203	504.00 OP
03 FC:202	504.00 OP
04 FC:205	65.00 OP

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$1968.
 - \$1008 for 56 total claims over 20.
 - \$960 for 12 independent claims over 3.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 2808.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawings submitted to the Office are not electronically reproducible. Drawing sheets must be submitted on paper which is flexible, strong, white, smooth, non-shiny, and durable (see 37 CFR 1.84(e));

- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

*A copy of this notice **MUST** be returned with the reply.*


Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE